

**THE HON'BLE SRI JUSTICE V.V.S.RAO**

**WRIT PETITION No.13692 of 2006**

**10.7.2006**

Between:

M/s. Matha Constructions per its proprietor Shri Ch.Showri Raju  
... Petitioner

AND

District Registrar, Mojamjahi Market, Hyderabad.  
And another

... Respondents

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**ORDER:**

The petitioner is the propriety concern. It entered into a development agreement-cum-general power of attorney with the owners of plot Nos.14 and 15 admeasuring 448 square yards in survey No.156/2, with a view to construct a multi-storied building over the said two plots. The petitioner constructed cellar, ground and two floors consisting of twenty units (flats). In April 2000, the petitioner presented a sale deed for registration before the second respondent, which was refused. According to the petitioner, it was orally informed that a document seeking to cancel development agreement was presented, which is pending, and therefore, the sale deed cannot be accepted for registration. Aggrieved by the same, the present Writ Petition is filed seeking a direction to the respondents to accept the document for registration.

Heard learned Counsel for the petitioner and learned Assistant Government Pleader for Revenue (General). It is no doubt true that when a document is presented, it is incumbent on the part of the Registering Officer to examine the same with reference to Sections 31 to 36 of the Registration Act, 1908 (the Act, for brevity) and/or Rules 26 and 58 of the Andhra Pradesh Rules under the Act. The communication sent by any Revenue Official cannot be basis for rejection. This aspect of the matter was considered by my learned brother Hon'ble Sri Justice A.Gopal Reddy in W.P.No.15199 of 2004, dated 01.9.2004.

Following the above, this writ petition is disposed of directing the second respondent or any other Registering Officer to accept the document presented by the petitioner and consider for registration. Be it noted, if for any reason, the document presented is not registered, it is incumbent on the part of the Registering Officer to record and furnish reasons under Section 71 of the Act. No costs.

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(V.V.S.RAO,J)

10.07.2006

GJ

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